

IN THE UNITED DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
WESTERN DIVISION

NANCY WALSH,)	
)	
PLAINTIFF,)	
)	
vs.)	CASE NO. 08 C 50085
)	
ROCKFORD ANESTHESIOLOGISTS)	
ASSOCIATED, LLC,)	
)	
DEFENDANT.)	

DEFENDANT'S RULE 12(b)(6) MOTION TO DISMISS
COUNT II AND COUNT III OF PLAINTIFF'S COMPLAINT

Defendant, Rockford Anesthesiologists Associated, LLC, by and through its attorneys, Reno & Zahm LLP, pursuant to Rule 12(b)(6) of the Federal Rules of Civil Procedure requests this Court to dismiss Count II and Count III of the Complaint for failure to state claims upon which relief can be granted. In support thereof, Defendant relies on its Memorandum in Support of Motion to Dismiss which is filed contemporaneously herewith.

Based upon the foregoing, Defendant requests that this Court enter an order dismissing Count II and Count III of Plaintiff's Complaint for failure to state claims upon which relief can be granted.

Dated this 10th day of June, 2008.

ROCKFORD ANESTHESIOLOGISTS
ASSOCIATED, LLC, Defendant

By: Reno & Zahm LLP

By: /s/ Craig P. Thomas
One of its attorneys

CERTIFICATE OF SERVICE

I, the undersigned, hereby certify that a copy of the foregoing was served upon:

Glenn R. Gaffney
Justin R. Gaffney
Gaffney & Gaffney
1771 Bloomingdale Road
Glendale Heights, IL 60139

by operation of the Court's electronic filing system as well as by enclosing the same in an envelope addressed to the above, with postage fully prepaid, and by depositing said envelope in a United States Post Office Mail Box in Rockford, Illinois on June 10, 2008.

/s/ Craig P. Thomas

Craig P. Thomas (#06202015)
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